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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-first session

Summary record of the 1323rd meeting
Held at the Palais des Nations, Geneva, on Monday, 20 July 2015, at 10 a.m.

Chairperson: Ms. Hayashi

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Combined fourth to eighth periodic reports of Saint Vincent and the Grenadines

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Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings held during this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-12383 (E) 270715 290715

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fourth to eighth periodic reports of Saint Vincent and the Grenadines (CEDAW/C/VCT/4-8; CEDAW/C/VCT/Q/4-8 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Saint Vincent and the Grenadines took places at the Committee table.*

2. **Ms. Ellis Browne** (Saint Vincent and the Grenadines), introducing the combined fourth to eighth periodic reports of Saint Vincent and the Grenadines (CEDAW/C/VCT/4-8), said that the report had been drafted in accordance with the Committee's guidelines. Her Government had taken into consideration the concluding observations issued by the Committee following its consideration of the State party's previous report, in 1997, and had sought to address the Committee's concerns and recommendations in the current report. Her country's archipelagic geography presented specific challenges in terms of the delivery of services and the participation of the whole population in programmes to benefit women and girls. Nevertheless, since 2010 many improvements had been made in transportation, communication and the reach of basic services. The population stood at about 108,000 and was predominantly rural. It was almost equally divided between women and men, and 30 per cent of the population was under 15 years of age.

3. Since 2010, the country had been rocked by severe external shocks, including the global economic recession and a series of natural disasters. The Government continued to design and implement programmes to reduce poverty, which was its overarching development objective. The level of abject poverty had been drastically reduced from 1996 to 2008, and the country's human development index had increased in recent years.

4. The Government had launched the National Economic and Social Development Plan 2013-2025, which was a comprehensive strategy that included the goal of enabling increased human and social development. Rural farming populations, large families and single-parent, female-headed households had been identified as at-risk groups in need of more comprehensive poverty reduction strategies. Women were disproportionately affected by the economic downturn, as they experienced higher rates of unemployment and bore more responsibility for caregiving work. Programmes were being implemented through the Plan to address those issues.

5. The recently completed national review of the progress made in implementing the Beijing Declaration and Platform for Action had provided an opportunity to take stock of programmes for women and reenergize them. Saint Vincent and the Grenadines had made progress towards achieving several of the Millennium Development Goals, though much remained to be done regarding Goal 3 (Promote gender equality and empower women). Gender-based violence continued to be of great concern. Measures taken to address the problem included an educational campaign against domestic violence, the adoption of the new Domestic Violence Act in 2015, more targeted data collection and policy coordination, and increased community-based training and education programmes to create changes in attitudes.

6. Gender-based violence and poverty reduction were both strategic priorities for the Government. With regard to gender-based violence, the Government had taken various measures to improve the legislative and regulatory framework, such as the development of a national gender action plan on ending gender-based violence. The post-2014 agenda included implementing that plan and developing a social protection policy to support women and children from vulnerable groups. Women's access to

quality education and health care had been improved, and further efforts would be made to increase women's access to male-dominated fields of study and employment. The establishment of a national shelter for victims of domestic violence constituted a major development to improve support for women, and the further efforts planned in that area included the implementation of a training programme for the police, courts and other bodies on delivering services to women and children who faced violence and abuse.

7. As for improving support for women as leaders in the public and private sectors, the Government had already raised awareness of gender mainstreaming in education and employment, and it intended to develop a gender mainstreaming strategy to increase access for women in marginalized areas.

8. The National Council of Women, which was the main non-governmental organization (NGO) representing women in the country, had called on the Government to take a number of measures to improve the situation of women and girls. Some of those issues were already being addressed, and the Government would continue to engage in dialogue with the National Council of Women and to provide it with financial support.

9. The Government's efforts to combat poverty among women focused on training and job creation. The number of women employed in the agricultural sector was decreasing as more women were taking advantage of increased access to education and training at the secondary and tertiary levels. The forthcoming opening of the new airport would undoubtedly provide increased employment for women by strengthening the agriculture and tourism sectors.

10. The Government was committed to the continued expansion of social infrastructure, including subsidized land and housing and various social protection schemes, such as a direct cash transfer programme that primarily benefited elderly women and female caregivers. Single mothers could apply to the Family Court to secure a maintenance order requiring the father of their children to provide child support. Though much had been done in that regard, the enforcement of such orders remained a challenge. There was also a need to conduct an in-depth gender analysis of poverty and to raise public awareness of the impact of poverty among women on future generations.

Articles 1 to 6

11. **Ms. Ameline** said that, despite the Government's efforts, the situation of women in the State party remained alarming. She asked why it had taken so long for the State party to submit its report, and she wished to know how the Committee could assist the State party not only in drafting future reports but also in adopting the policies and laws necessary to fulfil its obligations under the Convention. Given the rejection of the bill for a new constitution in 2009, she asked whether any further legislative initiative of that kind had been launched since that time.

12. During the universal periodic review process, the State party had committed to ratifying the Optional Protocol to the Convention and accepting the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee. She noted, however, that it had not yet done so and asked whether it would fulfil that commitment by the end of 2015. She asked what specific steps the Government would take to inform the general public about the Committee's forthcoming concluding observations and recommendations. Noting that many discriminatory laws remained in force, she asked what measures the Government would take to eliminate such discrimination and what role Parliament would play in

those efforts. Lastly, she noted that there was no national human rights commission in Saint Vincent and the Grenadines.

13. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that her Government had received assistance from UN-Women when drafting the report and that it would welcome further assistance with policy development and the drafting of future reports.

14. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that the delay in the submission of the report had been due in part to a lack of resources, as well as the restructuring of the Gender Affairs Division. Since 1998, the Government had been working on many fronts and had chosen to focus on practical measures and the delivery of immediate services.

15. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that, since the proposed new constitution had been rejected, gender equality issues would instead be addressed through specific legislation on family law matters.

16. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that there were currently no plans to submit another bill on a new constitution.

17. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the Government had already informed the public, via the media, about the current dialogue with the Committee and that it would continue to raise awareness of the Committee's work through its campaigns to combat gender-based violence.

18. **Ms. Ameline** asked whether there was any mechanism in place, such as a parliamentary working group, to review and abolish discriminatory laws.

19. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that, following the adoption of laws to protect children, an exercise had been carried out to harmonize the regulatory framework and amend any provisions that were at variance with the new legislation. The same process would be carried out in relation to the recently adopted Domestic Violence Act.

20. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that the Government tended to espouse the initiatives of the Organisation of Eastern Caribbean States, which had included preparing a model bill to address the issue of domestic violence. An informal working group composed of representatives of civil society and government agencies had been set up to discuss the bill in question but had never been accorded the status of a formal mechanism. Following the adoption of the model domestic violence bill, no further pieces of legislation concerning women's rights had been tabled for consideration by Parliament. There was no national human rights institution or government agency responsible for human rights in Saint Vincent and the Grenadines, nor was it planned to set up such an institution at that time. However, the Saint Vincent and the Grenadines Human Rights Association was an NGO working in the area of human rights.

21. **Ms. Patten** asked whether the State party had a monist legal system under which international human rights conventions could be automatically incorporated into domestic law and be directly invoked and applied by the national courts. If that was not the case, had the State party sought technical assistance to transpose the Convention into its domestic legal order? Was there a commission responsible for identifying discriminatory laws and bringing them into conformity with the Convention? Were judicial officers provided with training on the Convention? Was the Convention frequently invoked by judges and lawyers?

22. **Ms. Bailey** said that the rejection of the bill for a new constitution had prevented a definition of discrimination against women from being introduced into the State party's domestic legislation. The Committee viewed the absence of such a definition

as a major cause for concern. She asked how the State party planned to remedy that situation.

23. **Ms. Ameline** said that article 13 of the Constitution, which prohibited gender-based discrimination, needed to be strengthened. Discrimination against women took many forms and pervaded all sectors of society. Gender-based violence was only one such form. There was a pressing need for the State party to adopt legislation that took up the definition of discrimination against women enshrined in the Convention and that recognized and protected all women's rights.

24. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that the country had a dualist legal system requiring international human rights conventions to be translated into domestic law. Regrettably, that process had not yet taken place and it was unclear when it would begin. Judicial officers had received training on the Convention. While the Convention had not yet been incorporated into the domestic legal order, a number of high court judges had begun to refer to the Convention in their rulings, which was a positive development. The Government hoped that the trend in question would continue and that the purposes and principles of the Convention would become more widely known. Following the rejection of the bill for a new constitution, no new legislation containing a definition of discrimination against women had been drafted. If the bill for a new constitution was to be reintroduced, it would have to be put to a public referendum once more. However, there were no plans to reintroduce the bill in the near future.

25. **Ms. Bailey** said that, according to the State party's report, the Convention had never been referred to in any high court ruling. She asked when high court judges had started referring to the Convention in their rulings.

26. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that high court judges had begun referring to the Convention in their rulings after the end of the period covered in the report. There were currently no plans to consolidate the country's legal framework or to review laws that were deemed discriminatory against women. The adoption of the bill for a new constitution would have triggered such processes.

27. **Ms. Pomeranzi** asked how the State party's poverty reduction strategy benefited women; whether the Gender Affairs Division played a role in implementing that strategy; and why so few budgetary resources were allocated to the Gender Affairs Division given the breadth of its mandate. She requested the delegation to indicate the nature of the support provided by the Gender Affairs Division to the National Council of Women and the nature of their cooperation. She enquired as to the institutional status enjoyed by the Gender Affairs Division within the government architecture and as to how it managed to fulfil its mandate in the absence of a fully articulated gender mainstreaming policy. Lastly, she asked what progress had been achieved in mainstreaming the gender perspective in the different government ministries and agencies.

28. **Ms. Haidar** said that the information on temporary special measures contained in the State party's report revealed a possible misunderstanding of the nature and purpose of such measures. She referred the State party to the Committee's general recommendation No. 25 on temporary special measures for more detailed information. It was also important not to conflate the temporary special measures aimed at accelerating de facto equality between men and women, referred to in article 4, paragraph 1, of the Convention, with general measures aimed at improving the situation of women and girls in the country. The temporary special measures referred to in article 4, paragraph 1, applied to all areas covered by the Convention and included the introduction of quota systems intended to increase the number of women in elected and appointed decision-making bodies and other measures of positive

discrimination. For example, the 2010 Protection of Employment Act, which specifically prohibited the dismissal of a woman on the grounds of pregnancy or issues related to maternity leave, was a special measure to protect maternity under article 4, paragraph 2, of the Convention, not a temporary special measure under paragraph 1. Temporary special measures could also provide the State party with an opportunity to remedy the effects of past discriminatory practices. She asked how the State party planned to raise awareness and promote the adoption of temporary special measures in the areas where they were needed most.

29. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that, since 2010, the Gender Affairs Division had made the transition from advocacy for women's rights to overall responsibility for gender mainstreaming and development of gender policies in all government departments. The poverty reduction strategy included objectives that specifically targeted vulnerable women and children. Complementary initiatives had also been launched to guarantee single-parent families access to social protection. The lack of budgetary resources allocated to the Gender Affairs Division was offset by the separate resources allocated for the implementation of the different departmental gender policies and gender mainstreaming initiatives following the country's decision to introduce gender-sensitive budgeting. The Government was in the process of devising a formal and comprehensive gender mainstreaming policy aimed at improving the overall situation of women in Saint Vincent and the Grenadines.

30. The National Council of Women received a government subsidy to help cover its operating costs; together with other women's organizations, it worked in partnership with the Gender Affairs Division, which was responsible for coordinating all activities relating to the promotion and protection of women's rights and preventing duplication of effort in that area.

31. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that gender-sensitive budgeting still posed a challenge and that training on that subject was being provided to the officials responsible for budgeting in the Ministry of Finance. The Government hoped that, over time, the officials in question would develop a better understanding of the principles of gender-sensitive budgeting and apply them more effectively.

32. No quota systems were currently in place to increase the participation of women in the public and political life of the country. However, the delegation would highlight the importance of adopting such temporary special measures to policymakers on its return to Saint Vincent and the Grenadines and would make a number of proposals in that regard. It would then be up to the policymakers to carry those proposals forward.

33. **Ms. Bailey** asked when the State party's gender mainstreaming policy would be finalized and disseminated to all relevant stakeholders.

34. **Ms. Pomeranzi** said that training on gender-sensitive budgeting should follow the adoption of a formal gender-sensitive budgeting strategy. She asked whether the State party had considered conducting a gender budgeting analysis to help organize its efforts in that area.

35. **Ms. Haidar** said that the introduction of quota systems to increase women's participation in public and political life was important, but was not the only temporary special measure from which the State party could benefit. Consideration should also be given to adopting temporary special measures to promote the economic empowerment of vulnerable women and improve their access to the labour market.

36. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the country's recently completed country gender assessment had informed its approach to gender mainstreaming. In the past, the possibility of introducing quota systems had been

raised not only in the political context but also in the context of women's economic empowerment and the need to afford them equal access to the labour market.

37. The Organisation of Eastern Caribbean States had provided training on gender-sensitive budgeting to the officials responsible for budgeting in the Ministry of Finance and to the staff of the Gender Affairs Division so that they could begin to introduce that form of budgeting with the assistance of a number of United Nations agencies. The Government had started the process of restructuring the national budget to facilitate the introduction of gender-sensitive budgeting, which would be kept separate from child budgeting and other forms of social budgeting. The results of the restructuring process would be reflected in the national budget for the next fiscal year. Furthermore, gender equality had become a key pillar of the national social development policy. The Government acknowledged that effective gender mainstreaming was necessary to give effect to the findings and recommendations of the country gender assessment.

38. **Ms. Acosta Vargas** asked what measures the State party was taking to combat harmful stereotypes, for instance in relation to women in common-law marriages and pregnant girls. Did such stereotypes dissuade women from reporting gender-based violence? She asked whether marital rape was legally recognized under the Domestic Violence Act, which had extended the definition of domestic violence to include physical, psychological, sexual and economic violence. Did the provisions of the Act apply to relationships outside marriage or to same-sex couples? Did they address the non-enforcement of protection orders issued by family courts? Citing reports that the Act placed an economic burden on victims, she asked whether any free legal aid programmes for women existed. The State party should provide information on the main outcomes of the National Action Plan on Gender-based Violence, as well as on the Crisis Centre and any plans to open more centres. Had it assessed the impact of its campaigns to raise awareness of gender-based violence? Lastly, she enquired whether the State party monitored non-domestic forms of violence, such as rape and femicide.

39. **Ms. Arocha Domínguez** expressed concern about the lack of information on traffic in women and exploitation of prostitution of women provided in the State party's report (CEDAW/C/VCT/4-8) and written replies to the list of issues (CEDAW/C/VCT/Q/4-8/Add.2). Noting that some perpetrators of sexual abuse paid the families of their victims to avoid prosecution and/or continue abusing the victims, she asked what steps were being taken to protect the victims of such abuse and to prosecute the perpetrators.

40. Noting that there was often a link between tourism and prostitution, she asked what steps the State party was taking to prevent the prostitution of minors. Was it monitoring tour operators to ensure that they did not encourage sex tourism? Given that prostitution was punishable under the Criminal Code, she asked how many convictions for prostitution had been handed down and whether it was the prostitute or the person exploiting the prostitute who had been prosecuted. What sort of support was provided to women who wished to abandon prostitution? What measures were being taken to combat traffic, specifically in girls and women?

41. Lastly, noting that women were often used to traffic drugs, she asked the State party to provide information on female drug mules and the measures taken to tackle the problem.

42. **Ms. Finch Burke** (Saint Vincent and the Grenadines), in response to a question from Ms. Acosta Vargas, said that the Government had conducted campaigns to combat harmful stereotyping in relation to pregnant girls in schools and communities and intended to carry out awareness-raising activities nationwide. Moreover, support

for teenage mothers in terms of social protection measures and access to education had improved.

43. The Domestic Violence Act contained the definition of domestic violence established by the Organisation of Eastern Caribbean States, which applied to relationships outside marriage and to couples living in separate residences, but not to same-sex couples. Moreover, it covered all forms of violence, including intimidation, which was now a criminal offence and was punishable. With regard to protection orders, she said that the Act provided for interim and permanent protection orders with a maximum duration of 28 days and 3 years, respectively.

44. Increased legal aid for victims of domestic violence was still under consideration. As to the outcomes of the National Action Plan on Gender-based Violence, the Cabinet had only recently approved the Plan, and the Government was now in the process of funding and implementing it. The Crisis Centre offered both residential and non-residential programmes, and additional victim support centres had been established. The Government had assessed some of its initiatives, but not its campaigns to raise awareness of gender-based violence.

45. Lastly, the Government had developed a number of awareness-raising programmes that targeted men, including a rehabilitation programme for perpetrators of violence against women and children.

46. **Ms. Ellis Browne** (Saint Vincent and the Grenadines), in reference to a question from Ms. Acosta Vargas, said that while family courts issued protection orders, the police were responsible for their enforcement. The police usually responded to alleged violations in a prompt manner, but did not always strictly enforce protection orders when the women concerned reunited with their estranged husbands for economic reasons and only asked for the orders to be enforced if and when they separated again.

47. Turning to the issue of stereotypes, she said that women in common-law marriages were not looked down upon and that such relationships were widely accepted by society.

48. The State party had not yet found a solution to the issue of perpetrators of sexual abuse who paid the families of their victims to avoid prosecution. Families accepted such payment out of need, and although the police could press charges against the alleged perpetrator, the case would eventually be dropped if the parties denied the allegations and failed to provide the necessary evidence in court.

49. In response to Ms. Arocha Domínguez's question about sex tourism, she said that Saint Vincent and the Grenadines catered to wealthy tourists; if prostitution existed, it was not very visible. The State party did not have any data on prostitution and could not cite any cases or convictions related to sex tourism. There had been an isolated incident in which a foreign worker had pressed charges against a woman for stealing from him, where the woman had claimed to be prostitute collecting her fees, but the charges laid had not been related to prostitution. The State party did not have a specific programme for women who wished to abandon prostitution, but it did have support programmes for unemployed women in general.

50. Lastly, there had no recent arrests of women trafficking drugs, and the State party did not have any data on female drug mules.

51. **Ms. Arocha Domínguez** pointed out that, although prostitution was perhaps more visible in areas of mass tourism, islands with high-end tourism could also be hotbeds of prostitution. In any event, the Convention did not prohibit prostitution per se, but rather the exploitation of prostitution.

52. Turning to the issue of drug mules, she said that drug trafficking was an issue that affected the entire region and that it must also exist in Saint Vincent and the Grenadines.

53. **Ms. Acosta Vargas** said that the State party should clarify whether the Domestic Violence Act provided for mandatory legal aid. What would be the average cost of providing legal aid to women victims? She asked whether the State party monitored non-domestic forms of violence, such as rape and femicide, which were not necessarily covered by the Act. Lastly, she wished to know how the State party disseminated amendments to legislation and ensured that the public was made aware of such changes.

54. **Ms. Ellis Browne** (Saint Vincent and the Grenadines), in response to Ms. Arocha Domínguez's comment, said that the police had noted an increase in the number of men trafficking drugs by boat, which perhaps accounted for the lack of female mules.

55. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the amendments to the Domestic Violence Act had been adopted only in April 2015 and had not yet been gazetted or disseminated.

56. The availability of legal aid for women had been one of the concerns addressed in the recent legislative consultations. However, details of the resultant regulatory framework could not be revealed until the new law had been promulgated. Rape was addressed in the Domestic Violence Act but femicide was not defined as a discrete offence, nor was its incidence directly monitored. Activities to raise awareness of the new legislative framework were included on the post-2015 agenda. The need for an effective sensitization programme had also been addressed in the national action plan, the Country Gender Assessment and other gender-sensitive programmes.

57. **Ms. Acosta Vargas** asked whether women were required to seek legal representation and advice before initiating proceedings.

58. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that responsibility for decisions as to whether or not to take a case to court lay with the police, not the person filing the complaint. If the police decided to take her case to court, the woman concerned would be called as a witness but would not be involved in preparing the case. Women's need for assistance was therefore limited to the provision of support and advice. Responding to a request for clarification from **the Chairperson**, she confirmed that police officers had the discretion to decide not to proceed with a case.

59. **Ms. Bailey** asked whether the State party had developed data-collection strategies and protocols to address the dearth of statistics evident in the periodic report, and how the data it collected were collated and used. Noting that the definition of rape contained in the new domestic violence legislation was narrow, she asked whether the Government had considered adopting the definition proposed in the Caribbean Community (CARICOM) model bill, which was much broader. She also wished to know whether access to shelters was subject to a court order, or whether women at risk were able to approach a shelter directly.

60. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the country's data-collection systems had been upgraded since 2010 and that a review of information-sharing protocols was currently under way. The CARICOM definition of rape had been given careful consideration but she was unable to comment on its likely adoption. Access to a shelter was available before as well as after the issue of a protection order, so women did not need to apply to the courts to gain access to protected accommodation.

Articles 7 to 9

61. **Ms. Nwankwo** said that the State party's decision not to adopt a quota system to increase women's representation in political and public office gave cause for concern in view of the very low number of women in decision-making positions. Although women were well represented in the civil service overall, in most cases they occupied low-level administrative positions and in the diplomatic service the predominance of men was striking. She urged the State party to give further consideration to the possibility of introducing a minimum 30 per cent quota for women in government and senior civil service positions.

62. Information about any State-sponsored mentoring and support programmes for women seeking to participate in political or public life would be appreciated, as would details of any targeted training programmes to promote female leadership. She also wished to know what the State party was doing to address the systemic lack of gender-disaggregated data.

63. **Ms. Zou** Xioaqiao said that, although the law gave women and men equal rights to apply for a change of nationality, the provisions that made a married woman's right to pass her nationality on to a non-national husband subject to the discretion of a government minister appeared discriminatory. Did the same discretion apply in respect of a husband's right to pass his nationality to a foreign wife? She would appreciate confirmation that all remaining discriminatory nationality provisions had been, or were due to be, removed from national law. She also requested clarification as to whether mothers were under an obligation to obtain the father's signature on the passport applications of their children, as indicated in the section of the State party's report relating to article 9 of the Convention. The State party's replies to the list of issues contradicted that statement and she wondered if the situation had changed since the report's publication.

64. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that quotas might be introduced if constitutional reforms were to go ahead. Although women were poorly represented in the Foreign Service overall, a second female ambassador had recently been appointed and, with their increasing participation in tertiary education, more and more women were expected to advance into senior positions in the future. A considerable change in cultural attitudes was still needed, nonetheless. Political life tended to be aggressive and demanding; women were often constrained by domestic responsibilities and simply unable or unwilling to take on the physical and emotional challenge of campaigning.

65. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the need for a more even gender balance in Government was recognized and that the use of quotas was being given due consideration. To date, campaigns to promote women to leadership positions had tended to focus on less high-profile occupations, such as women in agriculture in marginalized areas, but the Country Gender Assessment had identified a clear need to extend and expand such initiatives. A review and amendment of all remaining discriminatory provisions in nationality and passport legislation, as well as a harmonization of all child and gender-related legislation, were included on the post-2015 agenda.

66. **Ms. Nwankwo** asked whether a quota system might not be introduced via electoral law if no constitutional reforms were envisaged in the near future.

67. **Ms. Finch Burke** (Saint Vincent and the Grenadines), responding to requests for clarification from **Ms. Zou** Xioaqiao and **Ms. Bailey**, said that the Country Gender Assessment had been approved in April 2015 only and was not yet available for

consultation online. She would need to seek external clarification before responding to the questions about legislation on passport applications.

68. One of the recommendations resulting from the Country Gender Assessment had been that electoral law should be used as a tool for legislative amendments related to the use of quotas. That possibility had since been discussed by the Cabinet and details of the discussions would be released in the near future.

Articles 10 to 14

69. **Ms. Bailey** said that information about the impact of the measures taken to improve the educational situation of rural children and children from underprivileged homes, which were mentioned in the section of the periodic report relating to article 10 of the Convention, would be useful. Had the efficacy of the measures been assessed, had they improved attendance and performance, and were gender-disaggregated data available to support the findings? She would also appreciate receiving information about the impact of measures taken to ensure that adolescent mothers were able to return to formal education. She would particularly like to know how many girls had benefited, given that, according to the report, public awareness of the measures was limited.

70. The State party's replies to the list of issues cited the Health and Family Life Education curriculum as one of the main tools for combating the high rate of teenage pregnancy. Could the delegation confirm that the curriculum was offered at all levels of education in an age-appropriate manner and that a gender perspective was adopted in addressing power relationships between the sexes and decisions about sexual behaviour?

71. The rejection of the constitutional reform bill meant that the proposed provisions on equal employment opportunities would not be implemented and that alternative measures were needed to address the fact that the rate of unemployment among women with secondary qualifications was double the rate among men with the same level of education, even though girls outperformed boys in school. Information about those measures, and, more generally, about efforts to dismantle the cultural stereotypes and curriculum segregation that constrained women, was therefore needed. For example, did the career fairs mentioned in the report promote non-traditional views of gender-appropriate subjects and careers? She would also appreciate clarification as to whether the information contained in the report applied equally to the Grenadines and to Saint Vincent. Did girls in the Grenadines have to travel to Saint Vincent for their education or did all inhabited islands have their own schooling facilities?

72. **Ms. Gbedemah** said that more information about measures to reduce gender segregation and female underemployment and increase women's participation in the labour force, particularly in non-traditional higher-paid sectors, was needed. Measures of that kind were vital, in view of the State party's acknowledgement, in its opening statement, that care responsibilities often left women with little time to pursue paid employment and were a major contributor to poverty. She would particularly like to know: what steps had been taken to prevent application of the excessively broad, protectionist ban on the employment of women on night shifts in industrial undertakings; what mechanisms were being used to transform gender stereotypes through schooling, parenting and social expectations; whether the State party might consider using temporary special measures to accelerate that transformation; whether the private sector was contributing to the education authorities' efforts to bridge the gender gap; and whether financial and investment opportunities were available to promote female entrepreneurship.

73. Information about efforts to promote decent working conditions for domestic workers would also be useful, as would comparative wage data for men and women and details of the financial and human resources available to support implementation of the ILO conventions ratified by the State party.

74. Lastly, she asked what plans and timelines were in place for laws and policies that criminalized sexual harassment in all sectors. She had been concerned to read in the State party's report that women might sometimes be asked to provide sexual favours in order to be offered work and wished to know whether research into the incidence of that phenomenon had been conducted, and, if so, what the findings had been. Details of the remedies available, beyond the common-law remedies under the law of tort mentioned in the report, would also be appreciated. She urged the State party to consider adopting a comprehensive law on sexual harassment and, in the meantime, in the absence of a comprehensive law, to ensure that a comprehensive complaints mechanism was in place.

The meeting rose at 1 p.m.

United Nations CEDAW/C/SR.1324

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
27 July 2015

English only

Committee on the Elimination of Discrimination against Women
Sixty-first session

Summary record (partial)* of the 1324th meeting
Held at the Palais des Nations, Geneva, on Monday, 20 July 2015, at 3 p.m.

Chairperson: Ms. Hayashi

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fourth to eighth periodic reports of Saint Vincent and the Grenadines (continued)

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

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Any corrections to the records of the public meetings held during this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined fourth to eighth periodic reports of Saint Vincent and the Grenadines (continued) (CEDAW/C/VCT/4-8, CEDAW/C/VCT/Q/4-8 and Add.1 and 2)

1. *At the invitation of the Chairperson, the delegation of Saint Vincent and the Grenadines took places at the Committee table.*

Articles 10 to 14

2. **Ms. Zou** Xiaoqiao, with regard to article 12, said she would appreciate clarification on whether a woman required the consent of her spouse to have a tubal ligation; the replies stated that permission was an administrative practice applied at the discretion of the physician, but the woman could have the procedure even against the wishes of her husband. What was the situation in practice and what recourse did the woman have if she was denied the procedure? With regard to abortion, she noted that the report stated that rape was not considered grounds for an abortion; only counselling was available through the Family Court, the Family Services Division and the Gender Services Division. According to the replies, abortions could only be performed where the woman's life was at risk or the child would be seriously impaired. She asked if there were clear legal provisions governing the circumstances under which an abortion could legally be performed. It was not clear whether the decision was left to the individual and/or the health authorities.

3. Despite the delegation's claim that there were no backstreet abortions, the Committee had information that in fact many women had recourse to such abortions because the clinics known to offer illegal abortion services were too expensive. She asked if the delegation would care to comment and if any statistics on the number of legal and illegal abortions, including backstreet abortions, were available. She asked if any measures were envisaged to guarantee access to legal, safe abortions, for women and girls.

4. While the delegation's replies stated that persons under 18 had access to family planning services, she noted that they had to be accompanied by an adult. The Committee had information that traditional attitudes meant that family planning and health personnel tended to stigmatize sexually active schoolgirls, refused to provide them with contraceptives or even informed their parents of the fact. That contributed to adolescent pregnancy; the delegation should indicate what measures were in place to ensure that women and girls had access to reproductive and sexual health counselling and emergency contraception.

5. **Ms. Finch Burke** (Saint Vincent and the Grenadines), with regard to education, confirmed that vulnerable groups had lower primary school enrolment rates. Her Government was working to identify at-risk families and increase school enrolment, including through social protection measures. Families were provided, for example, with subsidies for each child attending school and the Ministry of Education, in cooperation with the Ministry of National Mobilisation, which was responsible for social protection measures, was strengthening efforts to monitor and reduce truancy and offer support to families. While no formal impact assessment of the effectiveness of such measures had as yet been carried out, attendance rates had improved.

6. At the secondary level, with regard to measures to deal with teen pregnancy, she said that a programme had been launched recently to collect data on and profile teen mothers and their households, identify any family or parental issues of concern, make a needs assessment and propose protection measures. In order to ensure that pregnant

teens could take advantage of that programme, the two ministries provided information circulars to school staff about how to identify and report suspected cases of teen pregnancies, for example by monitoring absenteeism and physical changes linked to pregnancy, although school staff were not yet always diligent in that regard. They were also working in cooperation with the United Nations Children's Fund (UNICEF) on a new policy to facilitate the return to school of teen mothers and truants.

7. Since the preparation of the report, an improved school curriculum dealing with sexual and reproductive health had been developed and was currently offered in nearly 50 per cent of schools. It placed increased emphasis on roles, power and sexual issues in relationships. Information was also provided, in cooperation with the Planned Parenthood Association and the Ministry of Health, on contraception and making informed choices. There was also a programme to work with health centres to offer health education services to first-time and teenage parents with a view to reducing the possible social and psychological problems often linked to pregnancy, especially in rural areas.

8. Some progress had been made in improving the situation of rural women, whose unemployment rate was approximately double that of other women. Her Government was working to combat cultural stereotypes about the role of women; it would be implementing a comprehensive programme to analyse the situation of women in the workplace both on the mainland and in the Grenadines, under which disaggregated data in that regard would be collected. With regard to sexual harassment, she expected that under the new Domestic Violence Act, sexual harassment would be an offence subject to prosecution, especially since the problem of sexual harassment in the workplace had been identified by the drafters of the Act. Given that the Act had just been adopted, it would no doubt be a year before the relevant implementation measures were prepared and approved by the Cabinet.

9. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that it was currently quite rare for women to work at night, given the small size of the manufacturing sector, where shift work might occur, although she noted that many women worked as security guards and might work night shifts in that context. She stressed that women had access to all types of employment and were in fact encouraged to enrol in the Technical and Vocational Training branch of the Saint Vincent and the Grenadines Community College. No information was available on why girls, who generally did well in school, did not find jobs, but she said that boys were more inclined to take any job whereas girls often had responsibilities in the home. The State party was still a developing country and there were not enough jobs for all its citizens. Given that situation, the State party had developed programmes to train young persons for professions in demand in other Caribbean States, for example teaching and nursing, so that graduates could obtain employment abroad. New measures had been introduced to ensure the certification of graduates' technical qualifications with a view to facilitating their employment elsewhere in the Caribbean.

10. The State party had made universal enrolment in secondary education a priority and was working to ensure that more girls completed their secondary education, in order to make them more employable. Whereas in the past only expensive private childcare had been available, new public childcare and early childhood education centres for preschool children had been established, including in rural communities. That meant that women had access to quality childcare near their homes and could therefore also have jobs.

11. With regard to the issue of women requiring their spouse's permission for a tubal ligation, she confirmed that, unfortunately, the health-care practitioner might insist on the spouse's permission; that was a situation that must be changed. She also confirmed

that an abortion could only legally be performed in a health-care facility in cases where the life of the mother was at risk or the baby would be seriously impaired. Abortion in any other circumstances was a crime. She had no statistics on the number of illegal abortions.

12. **Ms. Gbedemah** said that clarification was needed on whether the Domestic Violence Act specifically dealt with sexual harassment and, if so, how sexual harassment was defined. She was concerned that domestic violence was limited to family situations and the Act would not therefore deal with sexual harassment in general, including in the workplace. She would also welcome more information on the number of persons working elsewhere in the Caribbean Community (CARICOM) and their occupations and on any monitoring of their situation or measures adopted in the State party to train young people to meet the demand for labour in other States.

13. **Ms. Bailey** said that many Caribbean States tried to train their citizens to take jobs in neighbouring States and farther abroad, including in such areas as teaching and nursing. Such efforts might become counterproductive if all the Caribbean States adopted them. She suggested that a study should be undertaken of the gender implications of that labour mobility situation with a view to identifying possible bottlenecks. Lastly, she welcomed the State party's efforts to encourage women to work in non-traditional sectors.

14. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that while the Domestic Violence Act did not deal specifically with sexual harassment in the workplace, the issue of harassment outside the family unit, including in the workplace, had certainly been raised during the drafting of the Act. A way would have to be found to broaden the scope of application of the Act to those areas.

15. Turning to the issue of statistics, she said that some data on the employment situation of women were available in CARICOM documents; information was also available from the Department of Labour and from the tourism sector, including, for example, the number of citizens working on cruise ships. National data collected since 2010 showed that most women from Saint Vincent and the Grenadines living abroad worked as nurses and teachers. The Government had launched technical and vocational training programmes targeted at women and would shortly hold consultations with relevant stakeholders to discuss the introduction of quotas aimed at increasing women's representation in traditionally male-dominated occupations.

16. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that the Government had taken a number of steps to encourage women and girls to study non-traditional subjects and had established a link with the University of Technology in Jamaica with a view to creating additional technical training opportunities for women.

17. **Ms. Pomeranzi** asked to what extent had women benefited from the country's economic growth since 2010. She also wished to know how many women had received cash transfer payments under the social security system and loans from the various national microcredit schemes in recent years. As for rural and disadvantaged groups of women, she asked what measures had been taken to improve their access to landownership and credit facilities. She also wished to know whether rural women had access to basic services, such as water and sanitation. Had the Government incorporated a gender perspective into its national disaster management and relief strategies in order to provide protection to vulnerable groups of women living in rural and remote areas? Lastly, she asked whether the State party had participated in the country gender assessments conducted by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Caribbean Development Bank (CARIBANK) and, if so, what data had been collected.

18. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the Government intended to incorporate a gender focus into its national development plan in order to facilitate women's access to the labour market and reduce poverty levels. It had also participated in the country gender assessments conducted by UN-Women and CARIBANK and would use the resulting data to develop gender-sensitive national policies. Following the reform of the social security system in 2014, female-headed households had been the main recipients of cash transfer payments. A social protection programme had also been introduced to support single mothers' economic development and raise their income levels.

19. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that the Government, in cooperation with the European Union, had launched a social investment fund that provided development assistance to rural communities, which had been affected by the banana industry crisis. The Government had also introduced a series of additional microcredit programmes that provided loans of up to US$ 15,000 for women seeking to set up their own businesses. Rural women had the same property rights as men and could use land in their name as collateral. Many women had also taken advantage of the Government's recent efforts to transform areas occupied by squatters into plots of land for purchase.

20. The Central Water and Sewage Authority, the agency responsible for water and sanitation, ensured that water and sanitation services reached rural areas. Sanitation, rubbish collection and water services were available even in the Grenadines, where water was limited during the dry season and where programmes had been set up to develop desalination plants in order to ensure that salt water was converted into fresh water. The sanitation and water services were excellent in her country.

21. Over the past decade or so, responses to several different types of disaster had been developed under the National Disaster Response Plan. Saint Vincent and the Grenadines experienced volcanic eruptions, hurricanes and regular flooding. Disaster management fell directly under the responsibility of the Prime Minister's Office. There had been infrastructure development, which was challenging in Saint Vincent and the Grenadines, where the terrain was very mountainous and, after it rained, rivers could wash away everything in their path, including sturdy bridges. The response was prompt in rural communities struck by disasters. Shelter management had been fine-tuned so that women and families were not adversely affected. When disasters occurred, there was provision for children to continue to go to school. Families sometimes had to stay in shelters for months; after the last disaster, families had occupied shelters for at least six months while the Government built new houses for them and provided new appliances and other benefits; many of those families were female-headed households.

22. Significant resources had been allocated to indigenous communities in recent years. Those communities did not live in remote places given that Saint Vincent was a small island and the longest one could travel was one hour by car, but they had not been easily accessible in the past because a gully with no bridge had barred the way. A bridge had since been built, however, and currently all those communities could be reached by road.

23. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that between 2009 and 2011, there had been a potable water distribution programme through which the Government had provided people with water in their homes. Currently, the Government provided subsidies for water and electricity payments for low-income individuals. The Government also provided rental subsidies to victims of domestic violence who wished to leave their home and live independently until they could get jobs. The Government had approved a backyard gardening development programme for rural communities, a joint venture between the Ministry of Agriculture and the

Caribbean Development Bank, which enabled women to start up local small businesses. A single mother protection programme offered job placement, training, counselling and childcare subsidies.

24. **Ms. Pomeranzi** said that the social protection measures taken did not appear to translate into the economic empowerment of women in rural areas. About 30 per cent of women lived under the poverty line. Why had the struggle against poverty not been effective over the past five years?

25. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said the Government had adopted a clear strategy for all social protection agencies for the benefit of women and children, including rural development. As the Government had not yet conducted a second poverty assessment, it could not determine precisely the impact of its poverty reduction efforts over the past five years. Since 2010 there had been three major internal and external shocks that had exacerbated poverty for those already below the poverty line, namely the economic crisis, hurricanes and three major flash floods in three years.

26. **Ms. Bailey** asked whether the 2015 gender analysis conducted by the Government had been an analysis of the poverty assessment or a separate exercise.

27. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that the country poverty assessment had first been carried out, followed by a poverty reduction strategy. The country gender assessment that followed thereafter had been used to inform the strategy.

Articles 15 and 16

28. **Ms. Patten** said that de facto unions constituted more than 50 per cent of all existing unions, and it was a matter of concern that women living in such unions had no de jure or de facto legal protection. She asked whether child maintenance was covered under the Family Code or other laws for children born out of wedlock.

29. What measures, including legislative measures, had been undertaken to ensure that there were no disparities in maintenance awards between children born in and out of wedlock and that, in all cases, the best interests of the child were paramount? Did unmarried women have recourse to the attachment of wages of the father of a child if he failed to pay maintenance? Was non-payment of child support or spousal support a punishable offence? It was not clear why there was such a high incidence of female-headed households. More information was needed on the nature of de facto unions, civil marriages and the divorce rate in the country. She asked whether polygamy was prohibited. Was the Government envisaging a system of registration for de facto unions, with comprehensive protection for the women in such relationships and their children? Had the Government sought technical assistance for family law reform? She drew the delegation's attention to the Committee's general recommendation No. 29 on the economic consequences of marriage and family relations and their dissolution. Lastly, she wished to know what property regimes were in place and what was their impact on the economic rights of women.

30. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that maintenance for children born in and out of wedlock was covered under the law and no distinction was made between them. The Family Code applied equally to all persons seeking support. Maintenance awards were granted on the basis of evidence that was brought before the courts by the parent in question. The court made an award on the basis of the other partner's capacity to pay against what was being claimed. All legal distinctions in terms of the right to property, inheritance and other rights between children born in and out of wedlock had been eliminated under the Status of Children Act of 1990.

Fathers who failed to pay court-ordered maintenance awards were liable to prosecution.

31. As yet, no research had been conducted to explain the high incidence of female-headed households. There was no legislative framework for the registration of de facto unions. Polygamy was prohibited. Lastly, her Government had taken part in the Organization of Eastern Caribbean States Domestic Violence and Family Law Reform project between 2005 and 2010, involving an assessment of all the laws relating to the family.

32. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that two relevant laws had been promulgated in 2015, the Childcare and Adoption Act and the Status of Children Act, which would further the implementation of the Convention and the Convention on the Rights of the Child.

33. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that ownership of private property was gender neutral and no distinction was made between married and single people. Married women were free to include or exclude their husbands from their deeds to property.

34. **Ms. Bailey** asked whether the Government was considering making the minimum age for marriage the same for men and women under the law.

35. **Ms. Ellis Browne** (Saint Vincent and the Grenadines) said that to her knowledge that issue had not been addressed, but the delegation would provide the Committee with further information on the matter at a later date.

36. **Ms. Finch Burke** (Saint Vincent and the Grenadines) said that she was grateful for the constructive dialogue and for the Committee's recommendations.

37. **The Chairperson** thanked the delegation and urged the State party to fully implement the Committee's final recommendations, for the benefit of all women and girls in Saint Vincent and the Grenadines.

The meeting rose at 4.45 p.m.